European and External Relations Committee

The EU referendum and its implications for Scotland

Written submission Brian Griffiths

My interest is as a voter who has no affiliation to any political party but does have some knowledge of finance and engineering, as you will observe from my qualifications at the foot of this letter. I also undertake some professional fund raising and general research on behalf of clients into a number of subjects that include; employability schemes, small environmentally friendly projects, social enterprise projects and community initiatives. Additionally, I have held office on community councils in the past along with membership of numerous community organisations, including the Berneray Development Group who my wife and I helped instigate when we lived in the Outer Hebrides during the last decade.

Subjects

The alternatives to EU membership

Focus on trade with our main customer, England, meantime and also continue doing business with EU countries pending negotiations to exit taking place. Leave Brexit negotiations with the Westminster Government but robustly lobby them in partnership with the Scottish Secretary as appropriate to ensure Scotland’s interests are included as part of that process. Let Westminster take responsibility for arranging new trading relations with non-EU countries, many of who already have strongly indicated they wish to trade with a post-EU Britain, which will include Scotland: http://www.express.co.uk/news/politics/694787/BREXIT-BOOM-27-countries-aroundworld-want-trade-deal-UK

Work closely with the Scottish Secretary and Westminster Government rather than against them as Scotland has no automatic legal right to be an EU member, whether or not it is part of the UK, and not accepting this unavoidable fact is an unproductive use of Scottish Government resources.

The implications of these alternatives for Scotland

There is more mileage to be gained in vigorously addressing any issues about leaving the EU with the Westminster Government than trying to take unilateral action ourselves where we lack the authority to do so. As it is in their interests to keep the UK together, the Westminster Government will eventually arrange trade deals that will benefit Scotland and enable us to export to a much wider customer base than we do at present within the constraints of the EU. The following article, which contains a helpful chart, clarifies the situation, although I appreciate that Scotland may have a different mix of business interests compared with the UK as a whole which the Scottish Secretary is currently addressing: http://www.telegraph.co.uk/finance/economics/11700443/The-EUs-dwindlingimportance-UK-trade-in-three-charts.html
How the withdrawal process might be managed at the EU and UK level

The sooner that Article 50 is triggered, the quicker the current economic uncertainty can be addressed. I would expect the Scottish Government to work closely with the UK Government through all aspects of the Brexit process which will be laborious but manageable. The least effective way of dealing with the withdrawal process would be for the Scottish Government to continue its current very public conflict with the Westminster Government on every issue which is serving no practical use. Provided that the Scottish Government and Scottish Secretary work together, their combined efforts and understanding of our unique interests will help enable a good settlement for this country.

What steps would be involved in this process and how individual policy fields might be dealt with

I would envisage that once Article 50 is triggered the serious trade negotiations will commence. There is no reason why the United Kingdom as a net importer of EU goods, particularly motor vehicles, should not be offered favourable terms, despite all the statements to the contrary from some EU members.

The amount of time that might be required to deal with the negotiations

An unknown quantity but two years seems a reasonable time period for completion.

How the interests of Scotland and the other constituent parts of the United Kingdom can be represented in those negotiations and what role the Scottish Government should have in those negotiations

Ensure that the Scottish Government works with the Westminster Government and its representative, the Scottish Secretary, rather than against them and refrain from making openly hostile statements, such as continually threatening another Independence Referendum that few have any real appetite for during the current time of uncertainty. We are all very much in this together and by taking a pragmatic and collaborative approach with the Westminster Government, Scotland may get more out the negotiations than if it takes the opposite tactic.

The positions likely to be taken by other Member States in the negotiations

The main net exporters to the UK, particularly Germany, will wish to continue free trade to facilitate selling their motor vehicles to us. The following recent but limited survey may be of help in defining some attitudes from EU residents but I believe that individual countries will do what is best for their exporters despite the rhetoric to the contrary in some cases: https://uk.finance.yahoo.com/news/poll-eu-less-likely-buy-075300073.html

The implications for the devolution settlement of withdrawal from the EU

I would expect the Westminster Government to continue with the Barnett Formula and also make up shortfalls in areas where we have lost out by no longer being members of the EU, such is in farming subsidies or research funding. There should be no question of Scotland accepting anything less
The implications for UK and Scots law of a withdrawal from the EU, particularly the need to repeal legislation and prepare new legislation to fill the gaps left by EU legislation

As Scots Law generally falls under Holyrood’s remit, I would expect most of our existing laws to remain extant. Where there may be laws in common with the rest of the UK, such as consumer and employment legislation, we would need to have our experts liaise with Westminster’s to ensure that unnecessary changes, that are obviously detrimental to citizens’ interests, are not made. As far as Human Rights is concerned, I would expect that the vast majority of the legislation would continue as nearly all of this has been beneficial in creating a fairer society. However, it must be recognised that there are certain people who are motivated to do all of us harm who then hide behind Human Rights as their defence, yet they would deny UK citizens the Right to Life. As such, I would expect the Westminster Government to repeal the relative sections of Human Rights Act that currently protect such people from the consequences of their actions in light of recent tragic events throughout Europe.

The scale of the task and the implications for the Scottish Government and Scottish Parliament

This will be a huge task for Westminster and the Scottish Parliament, as well as the Welsh and Northern Irish Assemblies. I would expect all Regional Parliaments and Assemblies as well as their respective Westminster controlled Secretaries to have representation and an administrative presence on the various committees and ministerial boards at UK level to ensure a close working relationship that benefits everybody’s interests.

The impact on Scotland’s economy of termination of ESIF support and access to the Horizon 2020 programme

These will continue until we leave the EU, according to the briefings that I have read. After we do leave, I would expect the Westminster Government to replace these funding schemes with something similar of their own by using the money that has been saved from making contributions to the EU.

The implications for Scotland’s funding settlement of withdrawal from the EU

Again, I would expect the Westminster Government to continue with the Barnett Formula and also make up shortfalls in areas where we have lost out by no longer being members of the EU, such is in farming subsidies or research funding.

The position of EU citizens in Scotland in the event of withdrawal from the EU

My feeling on the subject is that the Westminster Government will allow all EU citizens already living in the UK (including Scotland) to stay, although they may have a cut-off point of the EU Referendum date of June 23rd 2016 to avoid a last minute rush of immigrants during the Brexit process. The exception to this will be those who are in key jobs, such as NHS workers, who I anticipate will be given leave to remain in the UK due to their essential worker status.
The extent to which EU citizens in Scotland have acquired rights

I anticipate that all EU citizens’ rights within the UK, including Scotland, will remain as at present unless the EU starts to initiate hostile actions, such as deporting UK residents living in EU countries, which would require a measured response.

The contribution that EU citizens make to Scotland’s economy and society

Most EU citizens make a hugely valuable contribution to both Scotland’s economy and society and I can attest to having direct experience in this regard, particularly with the NHS which could not function without such committed and hard-working people who cannot be praised enough. However, since the former Soviet Bloc countries joined the EU, there have been a number of migrants attracted to the UK, including Scotland, who can be seen begging on the streets of every major Scottish town and are reportedly under the control of organised gangs. Additionally, there is evidence of slavery at both UK and Scottish level, a large section of which are reported to come from Slovakia and Romania as well as other non-EU countries: https://www.gov.uk/government/news/human-trafficking-gangs-targeted-by-ukgovernment. The Human Trafficking Act has been instigated to try and address the problem which represents the unfortunate side of free movement of people within the EU which some have clearly abused. As such, I anticipate that the Westminster Government will wish to tighten up immigration controls to ensure that such vulnerable people are not taken advantage of.

Conclusion

I believe that the Scottish Government will get the best deal for the people of Scotland by working closely with the Scottish Secretary and Westminster Government during the protracted and difficult Brexit process rather than continuing its current stance of vehement opposition at every opportunity which is proving counter-productive. In its first term and for much of the second, the SNP led administration were held in high regard by many for the mature and responsible manner that they addressed all issues for the benefit of the Scottish population as a whole, including those who preferred to maintain the Union. However, since the run-up to the 2014 Independence Referendum and beyond it has become very apparent that relations with Westminster have considerably deteriorated due to ongoing tensions largely caused by the Scottish Government’s continual reference to instigating a second Independence Referendum. This is serving no purpose in the current uncertain economic climate and my view is that the UK needs to work together as a whole in order to obtain the best deal from both the EU and non-EU countries, as any division within the Union will be seized upon as an inherent weakness by outside parties. An added factor that does not appear to attract comment, is that following completion of Brexit negotiations, there will be another scheduled UK General Election which could result in a Jeremy Corbyn administration that would implement a range of previously untested policies. At this point, it may well be that many previously pro-Union Scots would be content to vote for leaving the UK, provided that they felt they had a competent and non-partisan administration within the Scottish Parliament to steer them through this new challenge, who already had contributed towards establishing fresh trading arrangements throughout the world.